IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

WEDNESDAY, THE 14TH NOVEMBER 2007 / 23RD KARTHIKA 1929

Crl.MC.No. 4486 of 2003()

CC.116/2001 of JUDL. MAGISTRATE OF FIRST CLASS COURT, VARKALA

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PETITIONER:

RASI,S/O.DHARMARAJAN,
SRIMMOLINI VAIDYASALA,
MUNDAYIL DESOM,
VARKALA.

BY ADV. SRI.R.GOPAN
SRI.K.RAJESH KANNAN

RESPONDENTS:

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1. STATE OF KERALA REP. BY
THE PUBLIC POSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM.

2. DR. VIJAYAN,
(THUSHARA),
MUNDAYIL DESOM,
VARKALA VILLAGE.

BY ADV. SRI.A.K.CHINNAN
SMT.SUSAL A. CHINNAN
PUBLIC PROSECUTOR, SRI AMJAD ALI

THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD ON 14/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R.UDAYABHANU, J.

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Crl. M.C.No.4486 of 2003-A

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Dated this the 14th day of November, 2007

O R D E R

The petitioner is the third accused in C.C.No.229/1992, in the file of the Judicial Magistrate of First Class, Varkala, with respect to the offences under Sections 427, 500 and 506(i) read with Section 34 I.P.C. The case against him was split up and refiled as C.C.No.116/2001. It is submitted that the police complaint was closed with a refer report and the second respondent filed a protest complaint in which the rest of the accused were tried and acquitted. It is also submitted that the complainant is no more. The counsel for the second respondent has filed a memo to the above effect. In the circumstances, I find that no purpose will be served by further proceeding with the matter. Hence, the proceedings pending before the court below against the petitioner herein, vide C.C.No.116/2001 is herewith quashed. The Crl.M.C is allowed.

Sd/-
K.R.UDAYABHANU,
Judge

ms

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P.A.to Judge